

Serial No. 09/981763

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	William Sanford	Examiner:	Chang, Victor S.
Serial No.:	09/981763	Group Art Unit:	1794
Filed:	October 17, 2001	Docket No.:	00725.0361-US-01
Title:	LABEL FORM HAVING A TRANSPARENT LAMINATE		

RESPONSE UNDER 37 C.F.R. §1.116

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This paper is submitted in response to the Office Action dated 4 May 2008 and the interview of 21 October 2009.

In the interview, it was pointed out that the 102(a) should be withdrawn because the foreign reference was not entitled to a date prior the application date of the present invention nor the date of invention as proven in a previously filed declaration under Rule 1.131.

Furthermore, as previously argued in a prior response, the CREATE act (35 USC sec 103(c)) prevents the application of the remaining sections of 35 USC sec. 102.

The examiner has agreed to remove the Final Rejection of record and either issue a new non-final rejection based on a new basis or a notice of allowance.

Consequently, the Final Rejection and pending appeal should be withdrawn by the examiner.

CONCLUSION

As there is no pending basis for rejection of the present claims, it is believed that all pending claims are in condition for allowance. Applicant respectfully requests favorable reconsideration and early allowance of all pending claims.

If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Applicant's attorney of record, Michael B. Lasky at (952) 253-4106.

Respectfully submitted,
Altera Law Group, LLC
Customer No. 22865

Date: November 2, 2009

By: /Michael Lasky/
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MBL/